

**CHIROPRACTIC EXAMINING BOARD
MEETING MINUTES
OCTOBER 6, 2011**

Present: Steven Conway, Jodi Griffith, Wendy Henrichs, James Koshick, and Kathleen Schneider

**Present by
Teleconference:** Mania Moore

Staff: Denise Aviles, Bureau Director; Yolanda McGowan, Legal Counsel; Michelle Solem, Bureau Assistant; and other DRL staff

Wendy Henrichs, Board Chair, called the meeting to order at 8:37 a.m. A quorum of 6 members was confirmed.

ADOPTION OF AGENDA

Amendments

- Add to closed session - K(12)(b) Ian Belton.

MOTION: James Koshick moved, seconded by Kathleen Schneider, to adopt the agenda as Amended. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Kathleen Schneider moved, seconded by Mania Moore, to approve the minutes of August 11, 2011 as published. Motion carried unanimously.

BUREAU DIRECTOR MATTERS

Denise Aviles reviewed the 2012 meeting dates with the Board noting that the November 15 meeting has been removed from the calendar. Kathleen Schneider will join by the phone in January and March and Mania will likely only be available by phone for the first couple of hours for the March meeting. It may be necessary to change the March date to meet quorum requirements.

INFORMATIONAL ITEMS

Dr. Conway explained his status as a lobbyist and provided background that prompted that status.

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS
BY THE DIVISION OF ENFORCEMENT**

Attorneys from the Division of Enforcement provide presentations related to the following Stipulations, Final Decisions and Orders:

- | | | |
|---------------|---------------|---------------|
| 1. 07 CHI 024 | 3. 10 CHI 026 | 5. 10 CHI 035 |
| 2. 09 CHI 041 | 4. 10 CHI 028 | |

BOARD DISCUSSION

DIVISION OF ENFORCEMENT MATTERS

- a. **Review Historical Discipline Reference Sheet**
This item is tabled until the next meeting.

CREDENTIALING MATTERS

- a. **Preceptor Approvals**

MOTION: Steven Conway moved, seconded by James Koshick, to approve all preceptors as presented in the agenda packet. Motion carried unanimously.

PRACTICE QUESTION MATTERS

a. Discussion regarding issues the Chiropractic Examining Board can oversee as it pertains to dual-licensure.

The Board discussed dual-licensure and as a result, the Department will update the FAQ's on the website.

b. Discussion on pre-pay programs for Chiropractors

The Board discussed pre-pay programs and decided that they would take no action on this item as it is a request for business practice and not the practice of chiropractic.

SPEAKING ENGAGEMENT, TRAVEL AND PUBLIC RELATION REQUESTS

The Board discussed travel to the Part IV exam.

MOTION: Kathleen Schneider moved, seconded by Steven Conway, to authorize Jim Koshick as the delegate and Jodi Griffith as the alternate to represent the Board at the NBCE Part IV exam administration on November 11-13, 2011. Motion carried unanimously.

CLOSED SESSION

MOTION: Mania Moore moved, seconded by Steven Conway, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Steven Conway - yes; Jodi Griffith - yes; Wendy Henrichs - yes; James Koshick - yes; Mania Moore - yes; and Kathleen Schneider - yes. Motion carried unanimously. Open session recessed at 9:28 a.m.

Mania Moore left the meeting at 10:03.

MOTION: Kathleen Schneider moved, seconded by Jodi Griffith, to reconvene into Open Session at 10:58 a.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: James Koshick moved, seconded by Kathleen Schneider, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 07 CHI 024 – Steven Bircher, D.C. Motion carried unanimously.

MOTION: Steven Conway moved, seconded by Jodi Griffith, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 09 CHI 041 – James C. Kolbeck, D.C. Motion carried unanimously.

MOTION: Steven Conway moved, seconded by Kathleen Schneider, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 10 CHI 026 – Drew M. Kaminski, D.C. Motion carried unanimously.

MOTION: Steven Conway moved, seconded by James Koshick, to reject the Stipulation in the matter of 10 CHI - 028 Jason W. Davidson, D.C. Motion carried unanimously.

MOTION: James Koshick moved, seconded by Kathleen Schneider, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 10 CHI 035 – Wanda J. Erdman, D.C. Motion carried unanimously.

CASE CLOSINGS

MOTION: Jodi Griffith moved, seconded by Kathleen Schneider, to close the following cases according to the recommendations by the Division of Enforcement:

- a. 06 CHI 039
- b. 09 CHI 039
- c. 10 CHI 007
- d. 10 CHI 008
- e. 10 CHI 011
- f. 10 CHI 023

Motion carried unanimously.

APPLICATION MATTERS

MOTION: Steven Conway moved, seconded by James Koshick, to issue an intent to deny to Michele R. Green pending receipt of proof of practice and compliance with CHIR 3.03(1) (d). Motion carried unanimously.

MOTION: Steven Conway moved, seconded by Jodi Griffith, to approve the application of Ian Belton and grant licensure. Motion carried. James Koshick voted in opposition.

ADJOURNMENT

MOTION: Steven Conway moved, seconded by Kathleen Schneider, to adjourn the meeting at 11:01 a.m. Motion carried unanimously.